

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THOMAS JAMES FICK,

Case No. 18-13427

Plaintiff,

v.

SENIOR U.S. DISTRICT JUDGE
ARTHUR J. TARNOW

COMMISSIONER OF SOCIAL SECURITY,

U.S. MAGISTRATE JUDGE
DAVID R. GRAND

Defendant.

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ORDER ADOPTING THE REPORT AND RECOMMENDATION [19]; GRANTING IN PART AND DENYING IN PART PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [14]; AND DENYING DEFENDANT'S MOTION FOR SUMMARY JUDGMENT [17]

Plaintiff, Thomas James Fick, has sought judicial review of an Administrative Law Judge (ALJ) decision denying his application for disability benefits. On September 17, 2019, the Magistrate Judge issued a Report and Recommendation (“R&R”) [Dkt. # 19] on the parties’ motions for summary judgment [14, 17]. Neither party filed an objection to the R&R. The Magistrate Judge determined that the matter should be remanded because the Administrative Law Judge (“ALJ”) discounted the opinions of Mr. Fick’s treating mental health providers without supporting his decision with substantial evidence from the record.

The Court having reviewed the record, the Report and Recommendation [19] is hereby **ADOPTED** and entered as the findings and conclusions of the Court.

Accordingly,

IT IS ORDERED that Plaintiff's Motion for Summary Judgment [14] is **GRANTED** insofar as it seeks remand and **DENIED** insofar as it seeks an award of benefits.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment [17] is **DENIED**.

IT IS FURTHER ORDERED that this case be **REMANDED** to the Commissioner for further proceedings consistent with this Order and the Report and Recommendation.

SO ORDERED.

Dated: October 9, 2019

s/Arthur J. Tarnow
Arthur J. Tarnow
Senior United States District Judge